REMARKS/ARGUMENTS

The Applicants originally submitted Claims 1-21 in the application. In a previous response, the Applicants amended Claims 1, 3 and 5. In the present response, the Applicants have amended Claims 1-7, 12 and 17. No claims have been canceled or added. Accordingly, Claims 1-21 are currently pending in the application.

I.   Rejection of Claims 1 and 3 under 35 U.S.C. §112

The Examiner has rejected Claims 1 and 3 under 35 U.S.C. §112, second paragraph, for not particularly pointing out and distinctly claiming the subject matter which the Applicants regard as the invention. More specifically, the Examiner asserts there is an insufficient antecedent basis in Claim 1, line 6, and in Claim 3, line 4, for "said candidate." In response, the Applicants have amended Claims 1 and 3. Accordingly, the Applicants respectfully request the Examiner to withdraw the §112, second paragraph, rejection and allow issuance of Claims 1 and 3.

II.   Rejection of Claims 1, 3 and 5 under 35 U.S.C. §112

The Examiner has rejected Claims 1, 3 and 5 under 35 U.S.C. §112, first paragraph, for failing to comply with the written description and enablement requirement. In response, the Applicants have amended Claims 1, 3 and 5. Support for the amendment can be found in paragraph 37 of the original application. Accordingly, the Applicants respectfully request the Examiner to withdraw the §112, second paragraph, rejection and allow issuance of Claims 1, 3 and 5.

III.   Rejection of Claims 1-6 under 35 U.S.C. §102

The Examiner has rejected Claims 1-6 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,363,319 to Hsu. The Applicants respectfully disagree since Hsu does not teach selecting OSPF aggregates to advertise including selecting at least a subset of candidate OSPF aggregates such that a selected path length between a particular source and destination subnets resulting from advertisement of weights corresponding to the subset approaches a shortest path length between the particular source and destination subnets irrespective of the advertisement as recited in Claims 1, 3 and 5.

Hsu is directed to selecting a route for a flow of data from a plurality of network paths. (*See* column 1, lines 42-43.) Hsu teaches selecting routes in computer communication networks by determining cumulative costs of candidate paths using a biased cost function and selecting an optimal path based on a minimum cumulative costs. (*See* column 2, lines 50-54.) Hsu introduces a cost bias to the static OSPF cost metric that is advertised that allows leaving the advertised cost in place and considers characteristics of the flow to be placed. (*See* column 5, lines 43-46 and column 6, lines 29-44.) Hsu replaces the advertised cost with a biased cost and selects the path with the minimum cumulative biased cost. (*See* column 6, lines 56-67.)   Thus, instead of being concerned with intelligently selecting OSPF aggregates, Hsu concentrates on determining a cost associated with a path and dynamically selecting the path with the lowest cost. (*See* column 2, lines 54-57.)

Hsu, therefore, is not even directed to selecting OSPF aggregates to advertise but instead is concerned with the advertised costs of OSPF aggregates. Furthermore, Hsu teaches selecting a path based on an advertised cost instead of selecting at least a subset of candidate OSPF aggregates such

that a selected path length between a particular source and destination subnets resulting from advertisement of weights corresponding to the subset approaches a shortest path length between the particular source and destination subnets **irrespective** of the advertisement as recited in Claims 1, 3 and 5.

Accordingly, Hsu does not teach each and every element of independent Claims 1, 3 and 5. Thus, Hsu does not anticipate Claims 1, 3 and 5 and Claims dependent thereon. The Applicants, therefore, respectfully request the Examiner to withdraw the §102(b) rejection of Claims 1-6 and allow issuance thereof.

IV.   Rejection of Claims 7-21 under 35 U.S.C. §103

The Examiner has rejected Claims 7-21 under 35 U.S.C. §103(a) as being unpatentable over Hsu in view of U.S. Patent No. 6,256,675 to Rabinovich. The Applicants respectfully disagree.

As recognized by the Examiner, Hsu does not teach a weight assigner that assigns weights to OSPF aggregates based on an average distance of subnets in an area to a particular area border router (ABR) of the area as recited in Claims 7, 12 and 17. To cure this deficiency, the Examiner cites Rabinovich. (*See* Examiner's Action, page 10.)

Rabinovich is directed to providing an improved system and method for distribution requests for objects among hosts that store replicas of the requested object and for managing the placement of replicas of objects. (*See* column 21, lines 63-67.) Rabinovich does not teach or suggest, however, assigning weights based on an average distance of subnets in an area to a particular area border router (ABR) of the area as recited in Claims 7, 12 and 17. Instead, Rabinovich teaches advertising cost metrics for sending messages to all links within an area. (*See* column 19, lines 35-53.) Thus,

Rabinovich does not teach or suggest assigning weights based on an average distance but teaches assigning weights for each individual link.

The Examiner cites a section in Rabinovich that teaches a source maintaining distances from the source to a geographical entity (*i.e.,* hosts, areas or autonomous systems). (*See* column 14, lines 7-23.) This section does not discuss assigning weights based on an average distance of subnets in an area to a particular ABR of the area but discloses maintaining the distances from a source to the geographical entity averaged over requests for objects kept by the geographical entity. (*See* column 14, lines 20-23.) The Applicants do not find where Rabinovich, cures the above deficiency of Hsu.

Regarding independent Claims 10, 15 and 20, the Examiner recognizes that Hsu does not teach or suggest employing a search heuristic to assign weights for OSPF aggregates. (*See* Examiner's Action, page 5.) To cure this deficiency, the Examiner also cites Rabinovich. Rabinovich does not teach or suggest, however, selecting OSPF aggregate weights for a particular area including employing a search heuristic to assign weights for the OSPF aggregates as recited in independent Claims 10, 15 and 20. On the contrary, Rabinovich simply discusses employing heuristics for replacing replica. (*See* column 10, lines 40-45.) Regarding assigning weights, Rabinovich teaches assigning a cost metric for each individual link in an area. Rabinovich, therefore, does not cure this deficiency of Hsu.

In summary, the cited combination of Hsu and Rabinovich does not teach or suggest each element of independent Claims 7, 10, 12, 15, 17 and 20. Thus, the cited combination does not provide a *prima facie* case of obviousness for Claims 7, 10, 12, 15, 17 and 20 and Claims dependent thereon. The Applicants, therefore, respectfully request the Examiner to withdraw the §103(a) rejection of Claims 7-21 and allow issuance thereof.
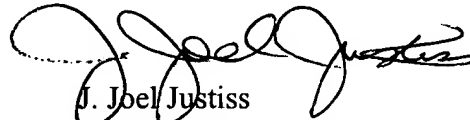
V. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-21.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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